

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF Southern Indiana
Minute Entry/Order**

Hearing Information:

Debtor: EASTERN LIVESTOCK CO., LLC
Case Number: 10-93904-BHL-11 **Chapter:** 11
Date / Time / Room: FRIDAY, DECEMBER 07, 2012 10:00 AM NA 103
Bankruptcy Judge: BASIL H. LORCH
Courtroom Clerk: KRISTIN GOSS
Reporter / ECR: AMY MASSEY

Matters:

- 1) Hearing Re: Confirmation
R / M #: 0 / 0
- 2) Letter/Correspondence dated 12/3/2012 re: objection to plan filed by Creditor Livestock Marketing Association [1573]
R / M #: 0 / 0
- 3) Objection to Confirmation of Plan filed by Ivana B. Shallcross on behalf of Creditors Phillip Taylor Reed, Ron P. Reed [1574]
R / M #: 0 / 0
- 4) Objection to Confirmation of Amended Plan filed by Laura Day DelCotto on behalf of Creditors Alton Darnell dba Darnell Alton Barn, Blue Grass Maysville Stockyards, LLC, Blue Grass South Livestock Market, LLC, Blue Grass Stockyards East, LLC, Blue Grass Stockyards of Campbellsville, LLC, Blue Grass Stockyards of Richmond, LLC, Blue Grass Stockyards, LLC, East Tennessee Livestock Center, Inc., Moseley Cattle Auction, LLC, Piedmont Livestock Company, Inc., Southeast Livestock Exchange, LLC [1575]
R / M #: 0 / 0
- 5) Objection to Confirmation of Amended Plan : Reservation of Rights filed by Ivana B. Shallcross on behalf of Creditor Joplin Regional Stockyards [1576]
R / M #: 0 / 0
- 6) Objection to Confirmation of Amended Plan And Reservation Of Rights filed by Walter Scott Newbern III on behalf of Creditors Alabama Livestock Auction, Inc., Athens Stockyard, LLC, CPC Livestock, LLC, Sealy And Sons Livestock, LLP, Edward Strickland [1577]
R / M #: 0 / 0
- 7) Hearing Re: Motion to Compromise & Settle under Fed.R.Bankr.P. 9019 Re: Friona, Cacatus, J & F and Fifth Third Bank filed by Kevin M. Toner on behalf of Trustee James A. Knauer [1529]
R / M #: 0 / 0

Appearances:

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(continue)... 10-93904-BHL-11

FRIDAY, DECEMBER 07, 2012 10:00 AM

In Court:

JAMES A. KNAUER, ATTORNEY FOR JAMES A. KNAUER
TERRY E. HALL, ATTORNEY FOR JAMES A. KNAUER
KEVIN M. TONER, ATTORNEY FOR JAMES A. KNAUER
CHARLES R. WHARTON, ATTORNEY FOR U.S. TRUSTEE
RANDALL D. LATOUR, ATTORNEY FOR FIFTH THIRD BANK
C. R. BOWLES, ATTORNEY FOR GARY S. BELL, GLEN FRANKLIN, JOPLIN REGIONAL STOCKYARDS, NORTHWEST ALABAMA LIVESTOCK YARD, PHILLIP TAYLOR REED, RON P. REED
EDWARD M KING, ATTORNEY FOR FIFTH THIRD BANK
JOHN W AMES, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, PHILLIP TAYLOR REED, RON P. REED
IVANA B. SHALLCROSS, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, PHILLIP TAYLOR REED, RON P. REED
JOHN HUNT LOVELL, ATTORNEY FOR CACTUS GROWERS, INC.

Telephonic Appearance:

JOHN R. CARR, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
LAURA DAY DELCOTTO, ATTORNEY FOR ALTON DARNELL, ALTON DARNELL DBA DARNELL ALTON BARN, BLUE GRASS MAYSVILLE STOCKYARDS, LLC, BLUE GRASS SOUTH LIVESTOCK MARKET, LLC, BLUE GRASS STOCKYARDS EAST, LLC, BLUE GRASS STOCKYARDS OF CAMPBELLSVILLE,, BLUE GRASS STOCKYARDS OF RICHMOND, LLC, BLUE GRASS STOCKYARDS, LLC, EAST TENNESSEE LIVESTOCK CENTER, INC., FIRST BANK AND TRUST COMPANY, THE, MOSELEY CATTLE AUCTION, LLC, PIEDMONT LIVESTOCK COMPANY, INC., PIEDMONT LIVESTOCK, INC., SOUTHEAST LIVESTOCK EXCHANGE, LLC
JOHN M. ROGERS, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS
JOHN FREDERICK MASSOUEH, ATTORNEY FOR FRIONA INDUSTRIES, LP
DAVID L. LEVAS, ATTORNEY FOR J&F OKLAHOMA HOLDINGS, INC.
KELLY GREENE MCCONNELL, ATTORNEY FOR SUPREME CATTLE FEEDERS, L.L.C.
WALTER SCOTT NEWBURN, ATTORNEY FOR ALABAMA LIVESTOCK AUCTION, INC., ARCADIA STOCKYARD, ATHENS STOCKYARD, LLC, BILLINGSLEY AUCTION SALE, INC., CPC LIVESTOCK, LLC, CARROLL COUNTY LIVESTOCK SALES BARN, INC, CATTLEMEN'S LIVESTOCK MARKET, INC., COLUMBIA LIVESTOCK MARKET, INC., DANIEL M. BYRD, E4 CATTLE CO., LLC, EAGLE BAY, INC., EDWARD J. EDENS, IV, EDWARD STRICKLAND, FIRST BANK AND TRUST COMPANY, THE, FLORIDA ASSOCIATION LIVESTOCK MARKETS, HARDEE LIVESTOCK MARKET, INC., MACON STOCKYARDS, INC., MADISON COUNTY LIVESTOCK MARKET, INC. D/, NORTH FLORIDA LIVESTOCK MARKET, INC., OAK LAKE CATTLE CO., OCALA LIVESTOCK MARKET, INC., OKEECHOBEE LIVESTOCK MARKET, INC., ROBERT RAWLS D/B/A ROBERT RAWLS LIVESTOC, RON SIZEMORE TRUCKING, INC., SEALY AND SONS LIVESTOCK, LLP, SUMTER COUNTY FARMERS MARKET, INC.
DAVID A. LAIRD, ATTORNEY FOR PEOPLES BANK OF COLDWATER KANSAS
AMELIA MARTIN ADAMS, ATTORNEY FOR ALTON DARNELL DBA DARNELL ALTON BARN, BLUE GRASS MAYSVILLE STOCKYARDS, LLC, BLUE GRASS SOUTH LIVESTOCK MARKET, LLC, BLUE GRASS STOCKYARDS EAST, LLC, BLUE GRASS STOCKYARDS OF CAMPBELLSVILLE,, BLUE GRASS STOCKYARDS OF RICHMOND, LLC, BLUE GRASS STOCKYARDS, LLC, EAST TENNESSEE LIVESTOCK CENTER, INC., PIEDMONT LIVESTOCK, INC., SOUTHEAST LIVESTOCK EXCHANGE, LLC

Proceedings:

*Disposition: Hearing held.

- (1 and 2) Affidavit by James Knauer has been filed. Affidavit is admitted into Evidence in support of confirmation of plan. Plan Confirmed under Sec. 1129 (b). Order confirming to include language about exculpation. Hall to submit confirmation order.
- (3) Objection Withdrawn in open court.
- (4) Plan confirmed over objection.
- (5) Agreement reached. Terms of agreement were read into the record.
- (6) Plan confirmed over objection.
- (7) Corrected settlement agreement to be signed which included an immaterial modification. No objections filed. Motion Granted. Order to be submitted.

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IF COUNSEL HAS BEEN DIRECTED BY THE COURT TO SUBMIT AN ORDER BASED ON THE COURT'S RULING OR THE PARTIES' AGREEMENT, THEN NO FURTHER NOTICE OR REMINDER WILL BE ISSUED. THE COURT WILL NOT KEEP A CASE OPEN SOLELY BECAUSE THE ORDER WAS NOT SUBMITTED WITHIN THE TIME PERIOD DIRECTED BY THE COURT. IN SUCH INSTANCE, A REOPENING FEE WILL APPLY.